



Addressing  
Human Trafficking  
in **AMERICA'S SCHOOLS**

A Webinar Series by the U.S. Department of Education

# Forced Criminality in Human Trafficking: Identifying and Intervening to Support Students

April 19, 2023

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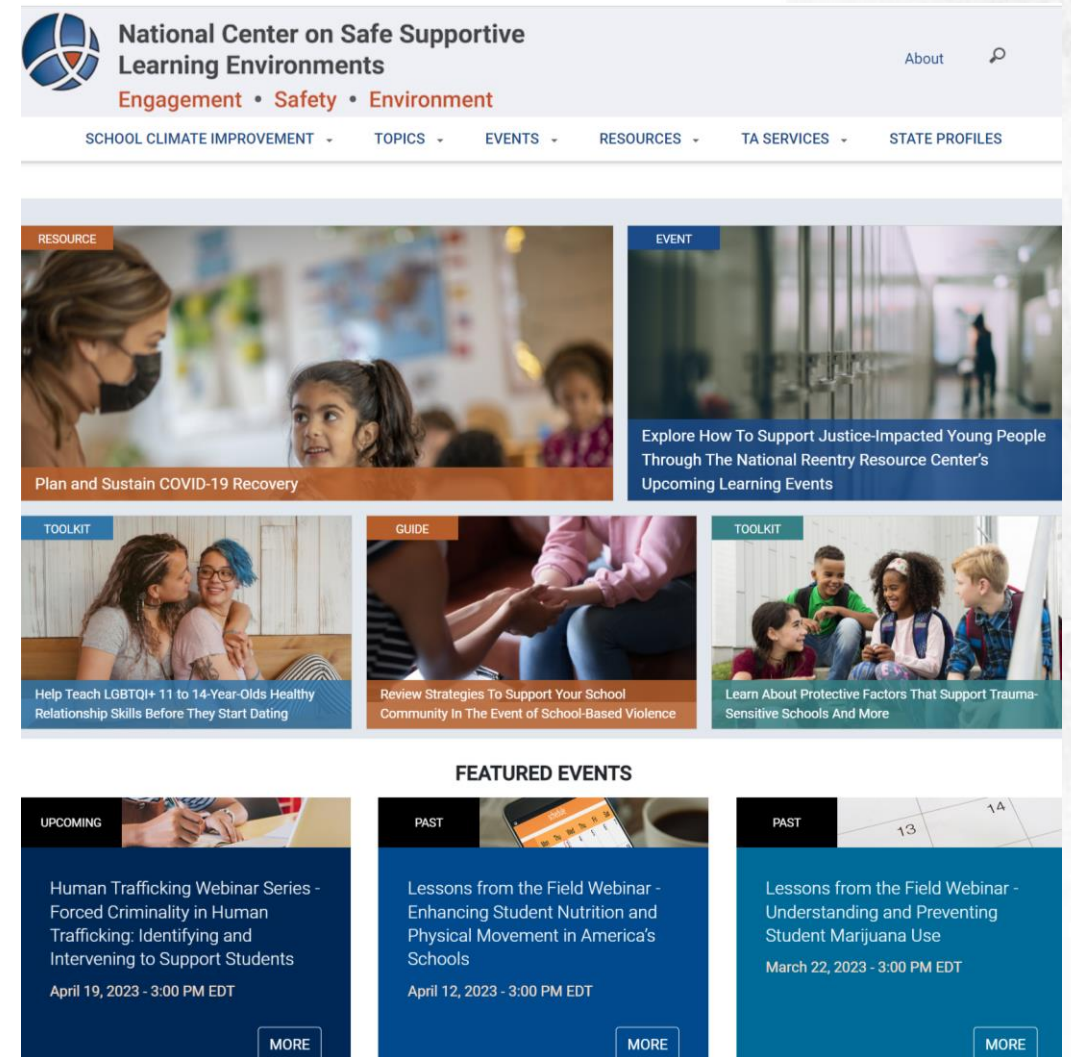




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To access previous webinars in the *Human Trafficking Series*, go to <https://safesupportivelearning.ed.gov/human-trafficking-webinar-series>.



# Webinar Agenda

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- 1 Introduction and Logistics
- 2 U.S. Department of Education Welcome
- 3 Legal Context: Definitions, Precedent, and Protections
- 4 Rates and Impacts of Forced Criminality
- 5 Panel Discussion
- 6 Wrap-Up & Closing
- 7 Live Q&A

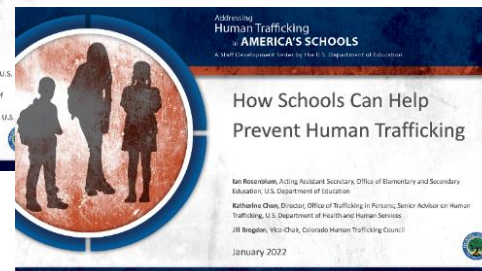
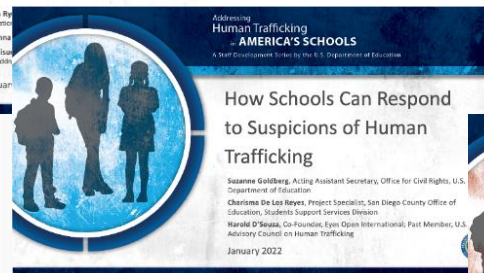
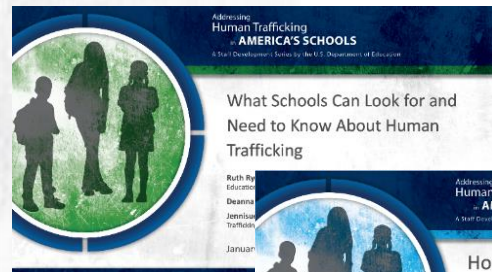
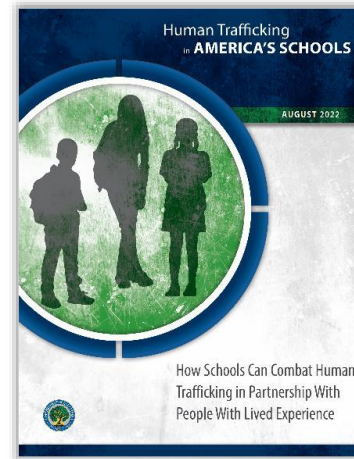
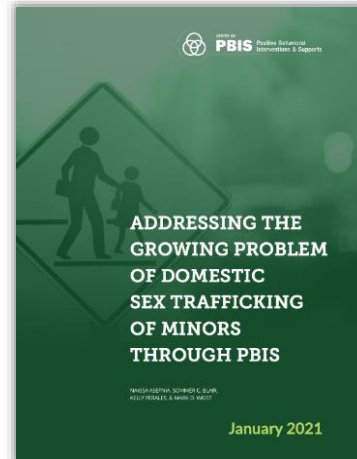
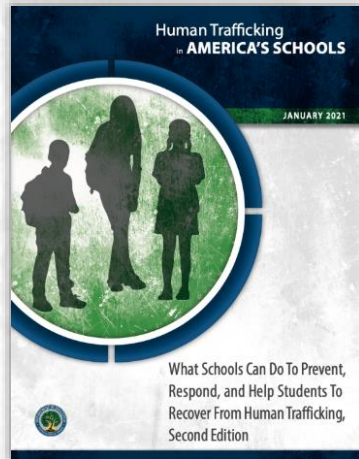


# Carlette KyserPegram

EDUCATION PROGRAM SPECIALIST  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
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U.S. DEPARTMENT OF EDUCATION



# Additional Support from the U.S. Department of Education Related to Human Trafficking



U.S. Department of Education

Student Loans	Grants	Laws	Data
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## Human Trafficking

### Combatting Human Trafficking in America's Schools

Of 22,326 trafficking victims and survivors identified through contacts with the National Human Trafficking Hotline in 2019, at least 5,359 were under age 18.<sup>1</sup> Many underage victims of human trafficking are students in the American school system. No community, school, socioeconomic group, or student demographic is immune to the threat of human trafficking. Cases of child trafficking are found in every area of the country—in rural, suburban, and urban settings alike.

The U.S. Department of Education recognizes these facts and stands ready to support America's schools in preventing, responding to, and helping students recover from human trafficking. It is fitting that schools take on this challenge; of all social institutions, schools are perhaps the best positioned to identify and report suspected trafficking and connect affected students to critical services.

To support schools' efforts to combat trafficking, the Department offers helpful resources, for administrators, teachers, specialized instructional support personnel, parents, caregivers, and students

#### Guides

- Human Trafficking in America's Schools, 2nd Edition** (2021). This guide provides:
  - Awareness of the current prevalence of child trafficking and the forms it takes;
  - Information on risk factors and indicators of child trafficking;
  - Details about three prevention tiers and the implications for schools' role in addressing child trafficking;
  - Information on how professional development of school staff and prevention education for students and families can reduce the likelihood of trafficking; and
  - Details on how policies, protocols, and partnerships with other community sectors can help prevent trafficking.
- Human Trafficking in America's Schools** (2015). This guide was developed to help school officials:
  - Understand how human trafficking impacts schools;
  - Recognize the indicators of possible child trafficking; and
  - Develop policies, protocols, and partnerships to address and prevent the exploitation of children.

#### Briefs

- Addressing the Growing Problem of Domestic Sex Trafficking in Minors through Positive Behavioral Interventions and Supports** (2021). Particularly relevant to schools or districts currently utilizing multi-tiered systems of supports, this resource provides information on how to utilize such existing support strategies to support students impacted by sex trafficking.

#### Webinars

- Identifying and Supporting Students Affected by Human Trafficking** (January 2020): This event focused on how to effectively identify and support students impacted by trafficking activity.
- Human Trafficking: Online Safety** (June 2020): This event focused on trauma-informed and survivor-centered strategies for protecting students from falling prey to online trafficking activity.
- Addressing Human Trafficking: An Expanded Look at Online Safety** (August 2020): This event

#### How Do I Find...?

- Student loans, forgiveness
- Higher Education Rulemaking
- College accreditation
- Every Student Succeeds Act (ESSA)
- FERPA
- FAFSA
- 1098, tax forms
- More...

#### Information About...

- Transforming Teaching
- Family and Community Engagement
- Early Learning
- Constitution Day

<https://www.ed.gov/human-trafficking>

# Meet our Speakers



**Dr. Amy Farrell**

Professor and Director, School of Criminology and Criminal Justice, Northeastern University, MA



**Jane Anderson**

Senior Attorney Advisor, AEquitas, CA



**Kaitlyn Zedalis**

Project Coordinator, Covenant House Action & Research Tank (CHART), Covenant House, NJ



**Erin Marsh**

Research and Policy Manager, Polaris

Bios for the speakers are archived at the following location:

<https://safesupportivelearning.ed.gov/events/webinar/human-trafficking-webinar-series-forced-criminality-human-trafficking-identifying>





## **Dr. Amy Farrell**

Professor and Director  
School of Criminology and Criminal Justice  
Northeastern University, MA

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# Understanding Child Labor Trafficking in the U.S. – Focus on Forced Criminality and Street Economy Work

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PRESENTED BY: Amy Farrell  
Professor and Director  
School of Criminology and Criminal Justice  
Northeastern University

This project was supported by the National Institute of Justice, Office of Programs, US Department of Justice. Points of view in this presentation are those of the authors and do not necessarily represent the official position or policies of the US Department of Justice.



# LEGAL BACKGROUND

For labor trafficking, no waiver of force, fraud and coercion when victim under 18 (unlike sex trafficking).

Child labor laws permit adolescent children to work, and there is often no age limit for child labor in agricultural work, within which there can be increased opportunity for exploitation.

# PROTECTION BACKGROUND

Only 11 states classify labor trafficking as a form of child abuse.

Very few labor trafficking cases involving child victims  
*(approximately 45 prosecuted federally since 2000).*



# DEFINITION OF LABOR

All forms of work – both licit and illicit

Includes situations of debt bondage, violence, threats, lies, and other forms of coercion to force people to work against their will in many industries.

# RESEARCH QUESTIONS

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1

What is the nature of child labor trafficking in the US and how is it distinct from other forms of labor abuse involving children? Specifically, how are children recruited into and experience labor trafficking and what are their needs? Who are the perpetrators of child trafficking crimes (e.g., individuals, organized syndicates, families, etc.) and how do they operate?

2

How are cases of labor trafficking involving minors being identified and what are the challenges facing child-serving agencies, including child protection and law enforcement, in identifying and responding to these cases?



# CURRENT STUDY



## **Study sites:**

**LA, Chicago, Ohio, and Upstate NY**

## **Data was collected by:**



Partnering with legal advocates and law enforcement; coding and analyzing 40 federally prosecuted child labor trafficking cases & 40 cases that were not prosecuted.



## **Interviews:**

Legal advocates, child welfare, victim service providers, law enforcement, prosecutors, and adult survivors.

# Industries

- ☐ Domestic work
- ☐ Construction
- ☐ Agriculture/Animal care
- ☐ Hotels and Hospitality/Industrial Cleaning
- ☐ Shoplifting
- ☐ Drug distribution/cannabis cultivation
- ☐ Begging/Pickpocket
- ☐ Firearms trafficking



# Vulnerabilities

- Housing insecurity, poverty
- Immigration status, non-English speaking, dependent on others for work or visa status
- Child welfare involvement, out of home placement, elopement
- Family abuse/power and control
- Intellectual disability
- Connection to crime involved others, gangs, sex trafficking

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# Case Examples

# US CITIZEN, STREET ECONOMY EXAMPLE #1

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## **Background**

- 12-year-old young child, lives with mother and mother's exploiter. Her mother has substance abuse issues.
- Exploiter starts sexual relationship with 12-year-old; sees her as smart and tough.

## **Exploitation**

- Begins giving her responsibility of delivering packages of drugs around the neighborhood. As she gets older, she takes more responsibility in drug operation.
- Exploiter begins having young woman mete out verbal and physical punishment to women selling sex for exploiter (both adults and minors).

## **Leaving Abuse**

- Child welfare was involved and child was eventually removed from home.



# US CITIZEN, STREET ECONOMY EXAMPLE #2

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## **Background**

- Young woman identified because of her involvement with a gang.
- Suspected sex trafficking victimization.
- Involvement with child welfare and juvenile justice systems.

## **Exploitation**

- During meeting with caseworker, discloses carrying multiple firearms in her backpack.
- Job in gang is to deliver weapons and return money.
- Sexual relationships with gang members and possibly commercial sex.

## **Connection to human trafficking program**

- Very little disclosure.

# DISCUSSION - Findings

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Identified multiple different patterns of abuse of young people.

Young people express fear of agency involvement beyond CJ system.

Most identified fortuitously – sex trafficking screening – no routine screening at point of criminalization (e.g., arrest, charging, representation)

# DISCUSSION - Recommendations

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Need to expand current narrow perception of labor trafficking – entirely new groups of vulnerable youth that may experience forced criminality.

Criminal record consequences = necessity of relief – Even better would be to avoid arrest and charging.

Improve identification of victims and accountability for perpetrators.





# Questions?



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## **Jane Anderson**

Senior Attorney Advisor  
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A background image of a statue of Lady Justice, blindfolded and holding scales of justice in her left hand and a sword in her right. The image is dimmed and serves as a backdrop for the text.

# Forced Criminality in Human Trafficking:

*Identifying and Intervening to  
Support Students*

# Support

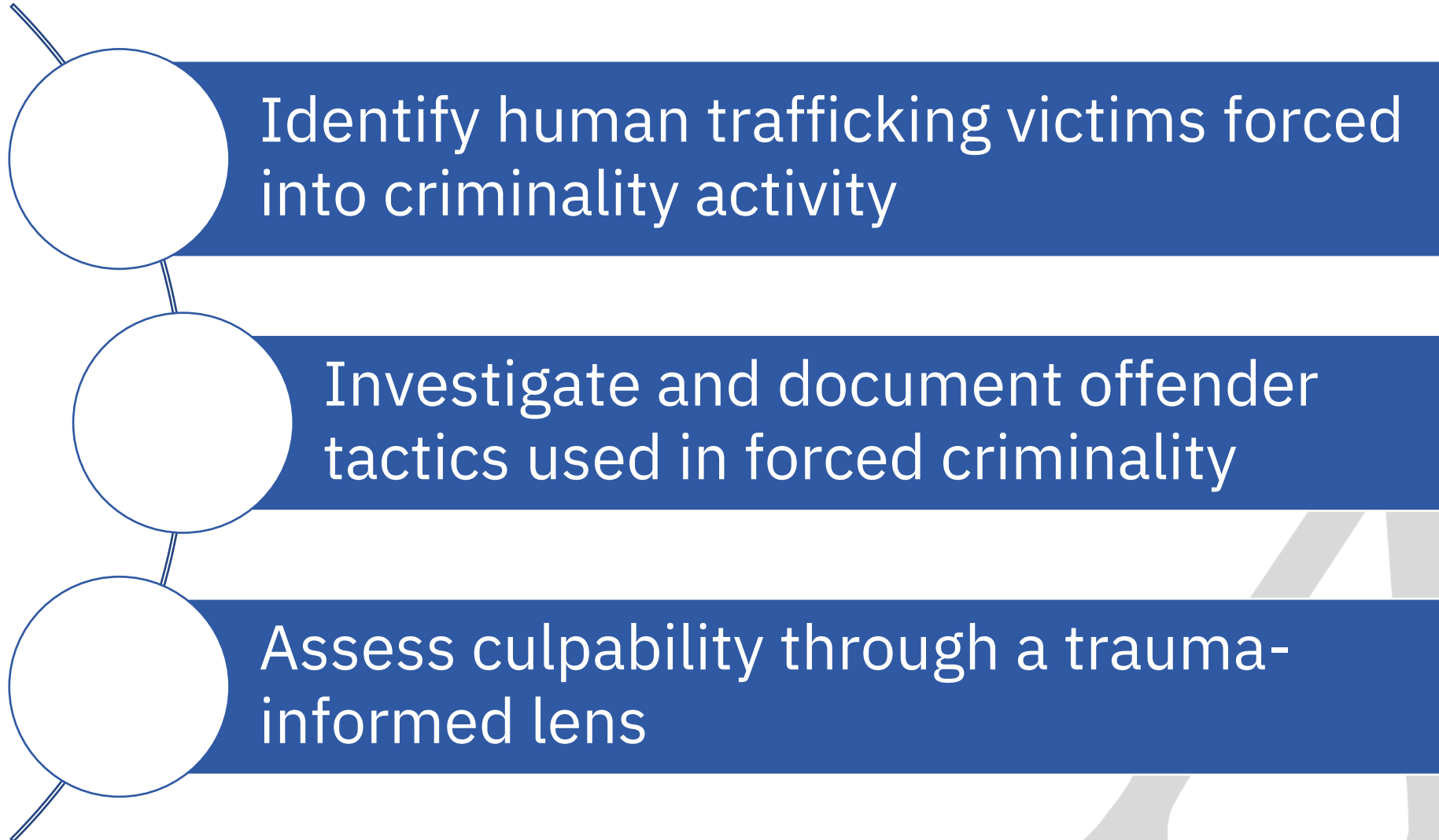
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# Objectives

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# What is “forced criminality”?

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What types of criminal activity are commonly forced?

# Commonly Forced Criminality

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- Prostitution
- Theft
- Robbery
- Sex trafficking
- ID theft
- Forgery
- Weapons
- Drug use
- Drug sales
- Gang activity
- Illicit marijuana cultivation

# The “Perfect” Plan

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# Forced Criminality

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Vulnerable



Lines crossed



Heightened  
vulnerability



# Case Study

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The State of Utah v. Victor Rax

# Victor Rax's Plan

## Steps 1 & 2

### Step 1: Identify vulnerable individuals

- Rax identified boys and young men (9-15 years old):
  - Impoverished
  - Undocumented
  - High-crime neighborhoods

### Step 2: Gain Access

- Rax used his position and reputation to gain access to boys and young men:
  - Well known in the neighborhood
  - Likable and generous
  - Provided proximity to money and power

# Victor Rax's Plan

## Steps 3 & 4

### Step 3: Grooming

- Rax developed relationships based on:
  - Providing unfulfilled needs
  - Instilling trust with victims and their families
  - Using terms like, “love”, “family”, and “loyalty”

### Step 4: Intimidation

- Rax pivoted from “nice guy” to abuser:
  - Provided drugs and alcohol
  - Sexually abused boys and young men
  - Forced victims to sell drugs

# Victor Rax's Plan

## Steps 5 & 6

### Step 5: Maintain Control

- Rax used various tactics to control his victims:
  - Cultural fear tactics
  - Threaten with arrest or deportation
  - Sexually abused victims and threatened to tell others

### Step 6: Escape Accountabilit y

- Rax thought he could get away with it because:
  - He *had* gotten away with it for a very long time
  - Victims felt that no one would believe them and that they would be arrested or deported
  - Victims were ashamed



# Key Takeaways

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Screen for  
forced  
criminality

Assess  
culpability

Recognize  
impact of  
trauma

Acknowledge  
victims'  
distrust

Practice  
cultural  
humility

Connect with  
appropriate  
victim services

# Going Forward

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Analyze forced criminal activity through a human trafficking lens

Investigate grooming and coercive tactics used by traffickers


Prevent criminalization of victims of forced criminal activity

# Jane Anderson

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## **Kaitlyn Zedalis**

Project Coordinator

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Covenant House, NJ



**Covenant  
House**  
New Jersey

# Labor Trafficking by Forced Criminality

Kaitlyn Zedalis, LSW, LCADC  
CHART Project Coordinator





# About Covenant House

**Established in  
1989, serving  
homeless youth  
ages 18–21**



**Can't access child  
protection systems  
or navigate  
adult systems**



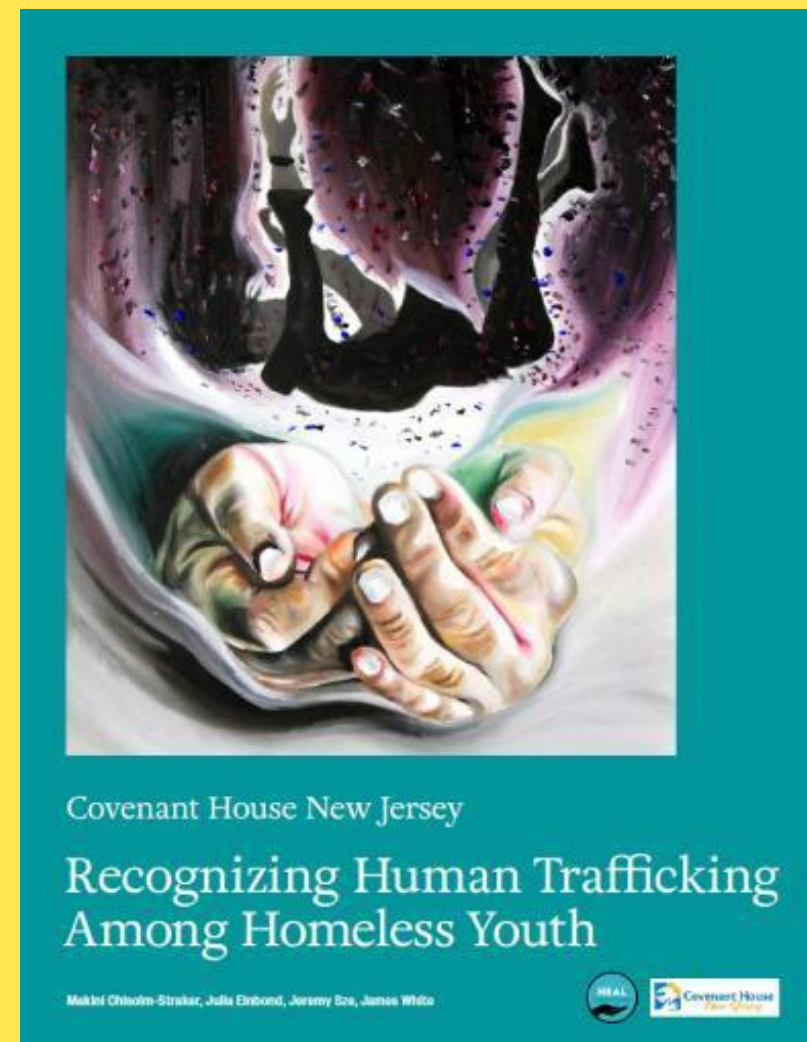
**Crisis Center  
housing  
and Continuum  
of Care**



Focused research effort on Human  
Trafficking experiences

Published reports and findings  
about these experiences

Developed QYIT (Quick Youth  
Indicators for Trafficking) in 2017



# Covenant House Action & Research Tank (CHART)



- Designed as an “action tank”.
- Collect data and conduct research on youth facing homelessness and trafficking victims at CHNJ.
- Use that information to drive, improve and disrupt traditional models of care.

**Goal:** *To contribute effective, evidence-based, and client-centered program approaches to local and national dialogues.*

# A Case of Mistaken Identity: The Criminalization of Victims of Labor Trafficking by Forced Criminality

Julia Einbond, Kaitlyn Zedalis, & Hanni Stoklosa  
*Criminal Law Bulletin*

- Wanted to learn more about relationship between history of arrest and trafficking.
- Described characteristics of lifetime experiences, trafficking experiences, and arrest histories.
- Found that forced criminality trafficking experiences were precursor to arrest.
- Determined there was ongoing criminalization while victimization was undetected.

# A Case of Mistaken Identity

- 64% of labor trafficking cases were forced criminality
- More than half of cases occurred when client was a minor
- Most common crime was drug distribution
- 80% had experienced arrest before age 22
- Most common first entry to criminalization was crimes of homelessness
- 66% experienced unsheltered periods of homelessness
- Lack of supportive adult relationships
- 47% were identified as a parenting youth

# Recommendations

- *Additional research needed:* Temporality of arrest & trafficking, parenting among victims of LTFC, trauma & trafficking
- Increase public awareness of LTFC
- Caring adult relationships
- Identifying unaccompanied youth
- Utilizing screening tools





## **Erin Marsh**

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# **Criminalization of Survivors: Findings from National Survivor Study**

**April 2023**





## Legal and Criminal Justice Barriers

*“There's so many needs that you can't get when you have a criminal record. It makes it more difficult to get your employment, it makes it more difficult to get housing, it makes it more difficult to get services. It affects everything.”*



## Criminal records are unfortunately common for survivors.

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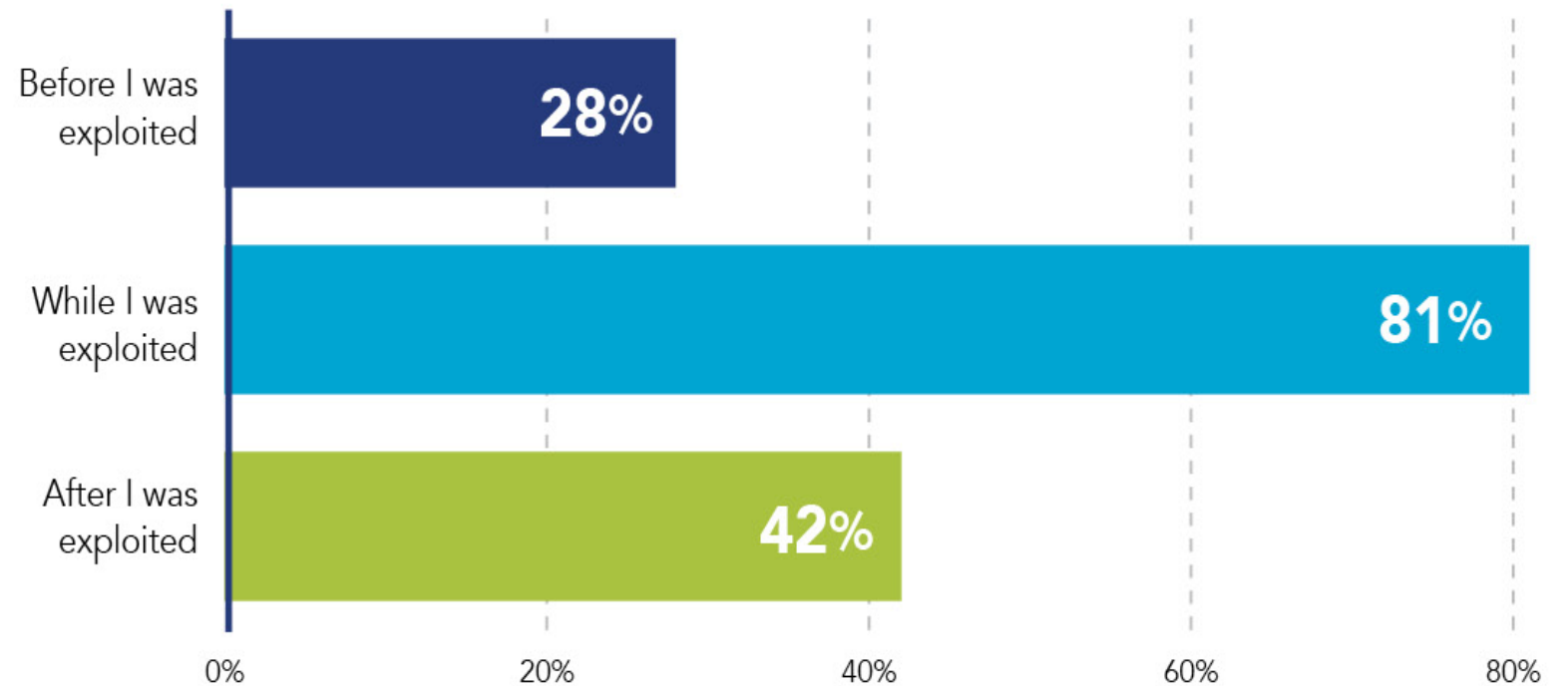
	Percent of Respondents	N
Have been cited, arrested, or detained by law enforcement at least once	62%	439
Among those who were cited, arrested, or detained, had/has a criminal record	71%	244
Of all survey respondents, had/has a criminal record	42%	413



## Many survivors were arrested or criminalized while they were trafficked.

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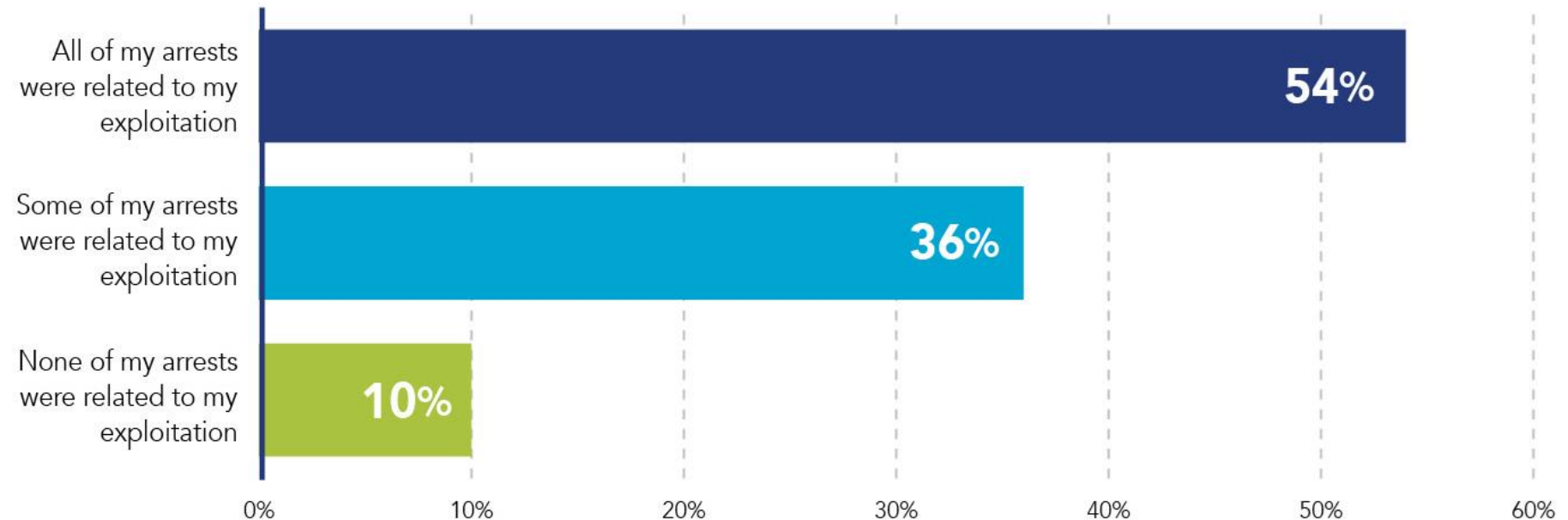
Timing of When Respondents Were Arrested, Detained, or Cited in Relation to Trafficking (N=265)





**Many survivors have criminal records as a direct result of their exploitation.**

How Much of Criminal Record Was Related to Trafficking Victimization (N=163)



**90%** of respondents with a criminal record reported that all or some of their arrests were related to their exploitation.





**Criminal records can be a barrier for many things survivors need.**

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Of the 174 survivors who reported having a criminal record, survivors reported criminal records prevented them from:	Yes
Getting or keeping a job.	69%
Getting training, education, or a professional license.	63%
Getting good housing.	59%
Maintaining custody of their children (of those with children).	35%



## Survivors need criminal record relief.

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Needs	Percentage of respondents	N
Removing criminal records (at time of exit from trafficking)	32%	148
Removing criminal records (currently)	17%	78

**77%** of respondents with a criminal record reported needing assistance removing or clearing their criminal records at some time after their exit from their trafficking situation.

# Our Panel

Bios for the panelists are archived at the following location:

<https://safesupportivelearning.ed.gov/events/webinar/human-trafficking-webinar-series-forced-criminality-human-trafficking-identifying>



**Hazel Fasthorse**

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# Closing Comments & Webinar Feedback



# Upcoming Webinars

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## Topics for Upcoming Human Trafficking Webinar Series Events

- June 28: Preventing Human Trafficking by Building Protective Factors Through School Climate Changes
- September 13: Centering the Experience of Boys and Male Identified Young People

## Topics for Upcoming Lessons from the Field Webinar Series Events

- April 26: Full-Service Community Schools
- May 10: Substance Use Prevention by College Students
- May 24: Supporting Student Mental Health
- June 14: Focusing on Early Learning







# Thank you!

Need Help? Reach out to NCSSLE at [NCSSLE@air.org](mailto:NCSSLE@air.org).



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[ED's Human Trafficking Webpage](#)



# Feedback Form

Human Trafficking  
in **AMERICA'S SCHOOLS**

Human Trafficking Webinar Series - Forced Criminality in Human Trafficking: Identifying and Intervening to Support Students

Thank you for attending the webinar, *Forced Criminality in Human Trafficking: Identifying and Intervening to Support Students*, on April 19, 2023. To best serve you, we would greatly appreciate receiving your feedback on the webinar.

1 Prior to the webinar, how knowledgeable were you about the webinar's topic?

☐ Not At All Knowledgeable

☐ Somewhat Knowledgeable

☐ Very Knowledgeable

2 Overall this webinar was a good use of my time.

☐ Strongly Disagree

☐ Somewhat Disagree

☐ Somewhat Agree

☐ Strongly Agree

3 This webinar improved my understanding of the covered topic.

☐ Strongly Disagree

☐ Somewhat Disagree

☐ Somewhat Agree

☐ Strongly Agree

<https://www.surveymonkey.com/r/HTWebinar13>



# Live Q&A